

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 3926-19
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/520818 <small>Unknown</small>	
INTERNATIONAL APPLICATION NO. PCT/US2003/021337	INTERNATIONAL FILING DATE 8 July 2003	PRIORITY DATE CLAIMED 9 July 2002	
TITLE OF INVENTION HETERODYNE OPTICAL SPECTRUM ANALYZER			
APPLICANT(S) FOR DO/EO/US FROGGATT et al.			
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:			
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The U.S. has been elected (Article 31).</p> <p>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input checked="" type="checkbox"/> is attached hereto (55 pages specification, claims & abstract (47 claims), 12 sheets drawings).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation).</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. a. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 To 20 below concern document(s) or information included:</p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. a. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information. Form PCT/IB/308</p>			

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<p>21. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5):</p> <table border="1"> <tr> <td><input checked="" type="checkbox"/> a) Basic national fee</td> <td>\$300.00 (1631)/\$150.00 (2631)</td> <td>\$ 150.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> b) Examination Fee</td> <td>\$200.00 (1633)/\$100.00 (2633)</td> <td>\$ 100.00</td> </tr> <tr> <td><input checked="" type="checkbox"/> c) Search Fee</td> <td>\$500.00 (1632)/\$250.00 (2632)</td> <td>\$ 250.00</td> </tr> <tr> <td colspan="2">TOTAL OF ABOVE CALCULATIONS</td> <td>\$1000.00/\$500.00</td> <td>\$ 500.00</td> </tr> </table> <p><input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.</p> <table border="1"> <thead> <tr> <th>Total Sheets</th> <th>Extra Sheets</th> <th>Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>67 -100</td> <td>0 /50 =</td> <td>0.00</td> <td>\$0.00 (1681) \$0.00 (2681)</td> </tr> </tbody> </table> <p>Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).</p> <table border="1"> <thead> <tr> <th>CLAIMS</th> <th>NUMBER FILED</th> <th># EXTRA</th> <th>RATE</th> </tr> </thead> <tbody> <tr> <td>Total Claims</td> <td>47</td> <td>minus 20 =</td> <td>\$50.00 (1615)/ \$25.00 (2615)</td> </tr> <tr> <td>Independent Claims</td> <td>8</td> <td>minus 3 =</td> <td>5 X \$200.00 (1614) \$100.00 (2614)</td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td>\$360.00 (1616)/\$180.00 (2616)</td> </tr> </tbody> </table> <p>Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)</p> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.</p> <p>Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)).</p> <table border="1"> <tr> <td colspan="3"></td> <td>TOTAL NATIONAL FEE =</td> <td>\$ 1,740.00</td> </tr> </table> <p>Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property</p> <table border="1"> <tr> <td colspan="3"></td> <td>TOTAL FEES ENCLOSED =</td> <td>\$ 1,740.00</td> </tr> </table>						<input checked="" type="checkbox"/> a) Basic national fee	\$300.00 (1631)/\$150.00 (2631)	\$ 150.00	<input checked="" type="checkbox"/> b) Examination Fee	\$200.00 (1633)/\$100.00 (2633)	\$ 100.00	<input checked="" type="checkbox"/> c) Search Fee	\$500.00 (1632)/\$250.00 (2632)	\$ 250.00	TOTAL OF ABOVE CALCULATIONS		\$1000.00/\$500.00	\$ 500.00	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	67 -100	0 /50 =	0.00	\$0.00 (1681) \$0.00 (2681)	CLAIMS	NUMBER FILED	# EXTRA	RATE	Total Claims	47	minus 20 =	\$50.00 (1615)/ \$25.00 (2615)	Independent Claims	8	minus 3 =	5 X \$200.00 (1614) \$100.00 (2614)	MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			\$360.00 (1616)/\$180.00 (2616)				TOTAL NATIONAL FEE =	\$ 1,740.00				TOTAL FEES ENCLOSED =	\$ 1,740.00
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<p>a. <input type="checkbox"/> A check in the amount of \$3350.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees. A duplicate copy of this form is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A <u>duplicate</u> copy of this form is enclosed.</p> <p>d. <input checked="" type="checkbox"/> CREDIT CARD PAYMENT FORM ATTACHED.</p> <p>e. <input checked="" type="checkbox"/> The entire content of International Application No. PCT/US2003/021337 and any U.S. and foreign application(s) corresponding thereto, and US 60/394,261, referred to in this application is/are hereby incorporated by reference in this application.</p> <p>NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.</p> <p>CORRESPONDENCE ADDRESS</p> <p>Direct all correspondence to:</p> <p><input checked="" type="checkbox"/> Customer Number: 23117</p> <p>Type Customer Number here</p> <p>Telephone: (703) 816-4000 JRL:alb</p> <p> John R. Lastova NAME</p> <p>33,149 January 7, 2005 REGISTRATION NUMBER Date</p>																																																				